

BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH

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IN THE MATTER OF THE REQUEST	:	
FOR AGENCY ACTION OF BERRY	:	
PETROLEUM COMPANY FOR AN	:	
ORDER ESTABLISHING 40 ACRE	:	NOTICE OF HEARING
DRILLING AND SPACING UNITS FOR	:	
THE PRODUCTION OF OIL FROM THE	:	
GREEN RIVER FORMATION IN THE	:	Docket No. 2011-005
SW ¹ / ₄ SE ¹ / ₄ , NW ¹ / ₄ SW ¹ / ₄ AND THE S ¹ / ₂ SW ¹ / ₄	:	Cause No. 272-01
OF SECTION 10, TOWNSHIP 5 SOUTH,	:	
RANGE 4 WEST, USM, DUCHESNE	:	
COUNTY, UTAH.	:	

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THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE FOLLOWING
MATTER.

Notice is hereby given that the Board of Oil, Gas and Mining ("Board"), State of Utah, will conduct a hearing on WEDNESDAY, March 23, 2011, at 9:00 AM, or as soon thereafter as possible, in the auditorium of the Department of Natural Resources, 1594 West North Temple, Salt Lake City, Utah.

The hearing will be conducted as a formal administrative adjudication in accordance with the rules of the Board as set forth in Utah Administrative Code R641 et seq. as provided for by Utah Code Ann. § 40-6-1 et seq. and Utah Code Ann. § 63G-4-101 through 601.

The purpose of the hearing will be for the Board to receive testimony and evidence regarding a Request for Agency Action that the Board enter an Order:

1. Establishing 40-acre drilling and spacing units for the production of oil and gas from the Green River formation underlying lands located in Township 5 South, Range 4 East, USM, Section 10: SW¹/₄SE¹/₄, NW¹/₄SW¹/₄, and S¹/₂SW¹/₄, Duchesne County, Utah; and
2. Providing such other relief as may be just and equitable under the circumstances.

Objections to the Request for Agency Action must be filed with the Secretary of the Board at the address listed below no later than March 9, 2011. A party must file a timely written objection or other response in order to participate as a party at the Board hearing.

Natural persons may appear and represent themselves before the Board. All other representation by parties before the Board will be by attorneys licensed to practice law in the

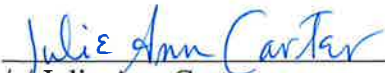
State of Utah, or attorneys licensed to practice law in another jurisdiction which meet the rules of the Utah State Bar for practicing law before the Utah Courts.

Persons interested in this matter may participate pursuant to the procedural rules of the Board. The Request for Agency Action, and any subsequent pleadings, may be inspected at the office of the undersigned.

Pursuant to the Americans with Disabilities Act, persons requiring auxiliary communicative aids and services to enable them to participate in this hearing should call Julie Ann Carter at (801) 538-5277, at least three working days prior to the hearing date.

DATED this 22nd day of February, 2011.

STATE OF UTAH
BOARD OF OIL, GAS AND MINING
Douglas E. Johnson, Chairman



/s/ Julie Ann Carter
Secretary to the Board
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84116
(801) 538-5277

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing NOTICE OF HEARING for Docket No. 2011-005, Cause No. 272-01 to be mailed with postage prepaid, this 23rd day of February, 2011, to the following:

A. John Davis
Mark L. Burghardt
Attorneys for Petitioner, Berry Petroleum
Company
HOLME ROBERTS & OWEN, LLP
299 South Main Street, Suite 1800
Salt Lake City, UT 84111

Berry Petroleum Company
1999 Broadway Street, Suite 3700
Denver, CO 80202

Michael S. Johnson
Assistant Attorneys General
Utah Board of Oil, Gas & Mining
1594 West North Temple, Suite 300
Salt Lake City, UT 84116
[Via Email]

Steven F. Alder
Assistant Attorneys General
Utah Division of Oil, Gas & Mining
1594 West North Temple, Suite 300
Salt Lake City, UT 84116
[Via Email]

Linda Elder Baird
3357 South 1000 West
Syracuse, UT 84075-8961

William Franklin Horrocks
4475 Ebony Ave.
Salt Lake City, UT 84133-3211

Christine Hill Unwin
698 East 200 South
Bountiful, UT 84010

Scott G. Elder
712 Laurelwood Dr.
Kaysville, UT 84037

Bradley Gilbert Hill
1296 E. Millbrook Way
Bountiful, UT 84010

Julianne Kemp Arbuckle
1433 E. Water Fall Way
Fruit Heights, UT 84037

Katie Hill Kagel
3117 S. East Grant
Portland, OR 97214

Juel Parker
255 N. State St.
Joseph, UT 84739

Annette Cook Bauer
361 North 600 West
Cedar City, UT 84721-9510

Thomas Harvey Moore, Jr.
11847 S. Rock Willow Way
Parker, CO 80134

Erich Hill
835 Inca Parkway
Boulder, CO 80303

Diona M. Perry
508 Highland Boulevard
Brigham City, UT 84302

Greg Elder
2847 West 2125 South
Syracuse, UT 84075-9002

Lisa Webb
P.O. Box 168
Vernal, UT 84078

Robert F. Reay
623 Walnut
Rock Springs, WY 80921

LaDonna Zeller and Robert T. Zeller
Zeller Family Trust
326 West 650 North
Vernal, UT 80478

Janace M. Nelson
2570 South 900 West
Perry, UT 84302

Lana Massey
P.O. Box 357
Jensen, UT 84035

Connie M. Gilbert
P.O. Box 881
Huntington, UT 84528

Bret Mace
140 West 1400 South
Brigham City, UT 84302

Denim J. Roberts
2306 NE Village Drive
Lawton, OK 73507

Renae Gilbert Miller
2709 Edgewood Dr.
Provo, UT 84604

Charles Ronald Reay
13037 Quincee Ct.
Riverton, UT 84065

Sherrie Gilbert Burdick
P.O. Box 617
Duchesne, UT 84021

Byron John Gilbert
569 East 2875 North
Provo, UT 84604-4236

Gilbert Ray Horrocks
539 E. Normandy Dr.
Provo, UT 84604

Bryant Martindale Gilbert
931 Big Creek Rd.
Otto, NC 28763-9540

Jean Gilbert Carlson
P.O. Box 530185
Henderson, NV 89053-0185

Jackie Parker Werts
1175 N. Sevier Hwy.
Joseph, UT 84739

Geraldine Parker Nordfors
2524 Edgehill Dr.
Bountiful, UT 84010

Shirley Druce Doelle
1825 Windflower Ln. SE
Lacey, WA 98503

Howard Leandrew Gilbert
580 East 300 North, Apt. 105-10
Roosevelt, UT 84066

Patsy Parker Greenwood
510 North 100 East
Nephi, UT 84648

Douglas Richard Horrocks
P.O. Box 994
Duchesne, UT 84021

Irene Parker Gray
115 N. Main St.
Central, UT 84754-3107

Rulon Olsen Gilbert, as Guardian
for Mildred Gilbert
3255 East 3210 North
Twin Falls, ID 83301

Rulon Olsen Gilbert
3255 East 3210 North
Twin Falls, ID 83301

Sherry Sanders Reynolds
3750 West 3900 South
West Valley City, UT 84120

Chesley Gordon Parker
105 N. State St.
Joseph, UT 84739

Leann Sanders Bathemess
1286 Woodridge Circle
Salt Lake City, UT 84121

Sylvia H. High
1222 Waterside Cv. #12
Midvale, UT 84047

Maurine Gilbert Bellon
1034 East 380 N. Circle
American Fork, UT 84003

Marilyn Moore Call
7223 Routt Dr.
Arvada, CO 80005-3546

Gayle Glenn Gilbert
421 Quincy St.
Twin Falls, ID 83301

Phyllis R. Johnson
218 Locust Ln.
Delta, UT 84624-8901

Melody Moore Haakenson
111 Melvins End
Yorktown, VA 23693

Robert F. Parker
1450 Steele St.
Denver, CO 80206

Floyd Leland Druce
9602 Limestone Cir.
South Jordan, UT 84095

Thomas H. Kemp
2292 East 350 North
Layton, UT 84040

Janean Moore Call
7512 Braun St.
Arvada, CO 80005-2835

LeGrand J. Gilbert
HC 64 Box 355
Duchesne, UT 84021

John Thornton
177 North 800 East
American Fork, UT 84003

Eugene Parker Sanders
18214 N. 68th Ave.
Glendale, AZ 85308

Irish Anderson
4280 South 4000 West
Delta, UT 84624-3697

Kirk Elder
680 East 100 South
Kaysville, UT 84037

Ellen Gilbert Goodrich
261 N. Seventh Ave.
Othello, WA 99344

Tenna Gilbert Herman
4801 Gentry Lane
Carson City, NV 89701-6528

David Moore Smith
5414 Stormy Sunset
San Antonio, TX 78247

Ermond Jensen Beames
392 Birch St.
Evanston, WY 82930-1133

Glen Elder
680 East 100 South
Kaysville, UT 84037

Ken M. Elder
5707 Moses St.
Chubbock, ID 83202-2053

David Clark Hill
768 West 1100 South
Woods Cross, UT 84087

Ruth Follett Hill
261 East 100 South
Bountiful, UT 84010

Shauna Gilbert
2093 North 180 East
Provo, UT 84604

Larry Kent Gilbert
Courtyard at the Willows
4610 6th Street Place S.E., Apt. 215
Puyallup, WA 98374

Melanie Hill Green
831 Spring Pond Drive
Farmington, UT 84025

Ruth Gilbert Murphy
1034 E. Beverly Way
Bountiful, UT 84010

Nancy Hill Herzig
719 Thistle Dr.
Spring Creek, NV 89815

Lynn Stanley Hill
357 Seemore Dr.
Kaysville, UT 84037

William R. Young
P.O. Box 466
Duchesne, UT 84021

Patsy Racy and Larry McDonald
HC 65, P.O. Box 44A
Altamont, UT 84001

Ronald John and Michelle Solmonson
288 N. 200 E.
Vernal, UT 84078

Cathy Lynn and Ed Koplin
7610 N. Greendale Dr.
Citrus Springs, FL 34439

Sherry Dawn and Dale Soderquist
3132 South 2500 East
Vernal, UT 84078

Venice N. Mecham
3310 West 500 South
Vernal, UT 84078

Lorene Neal
1620 Whittaker Road
Crestwood, KY 40014

Barbara A. Nielson
344 Riverview Avenue
Craig, CO 81625-3406

Twilla Rasmussen Alford
P.O. Box 2001
Bandera, TX 78003

Turner Petroleum Land Services, Inc.
7026 South 900 East, Suite B
Midvale, UT 84047

Ermond Jensen Beames
P.O. Box 1133
392 Birch St.
Evanston, WY 82930-2681

J. Arden Hacking
2414 North 2500 West
Vernal, UT 84078

Smokey Rasmussen
P.O. Box 141
Jensen, UT 84035-0141

Rance Rasmussen
2218 West 1000 North
Vernal, UT 84078

Bonnie Jean Roberts
P.O. Box 849
Rawlins, WY 82301

Glenda N. Chrans
P.O. Box 168
Vernal, UT 84078

Heirs and/or devisees
of Iona Craner
162 South 500 West
Brigham City, UT 84302

Heirs and/or devisees of
Gus Solmonson
(no address of record)

Jake Alan Reay
9956 Orchard View Dr.
South Jordan, UT 84095

Nicholas Faye Reay
9956 Orchard View Dr.
South Jordan, UT 84095



CERTIFICATE OF PUBLISHED NOTICE

I hereby certify that I caused a true and correct copy of the foregoing NOTICE OF HEARING for Docket No. 2011-005, Cause No. 272-01 to be PUBLISHED in the following newspapers on the following days:

Update all info below and delete this line:

March 6, 2011:

The Salt Lake Tribune and Deseret Morning News, newspapers of general circulation in Salt Lake City and County.

March 1, 2011:

Uintah Basin Standard, a newspaper of general circulation in Duchesne and Uintah Counties.